



**EXPRESS MAIL NO.: EV 452 774 174 US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: RONALD J. PETTIS, *et al.*

Confirmation No.: 4392

Serial No.: 10/028,989

Group Art Unit: 3763

Filed: December 28, 2001

Examiner: Williams, Catherine Serke

Attorney Docket No.: 11219-023-999  
(500752 999022; P-4901P4)

Date: January 18, 2005

For: METHOD AND DEVICE FOR  
REDUCING THERAPEUTIC DOSAGE

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.56 AND § 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby invite the Examiner's attention to the references A01-A11, B01-B04 and C01-C58 listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicant." A copy of references C01, C05, C09, C20, C30, C32-C33, C35-C36, C42, C46, C48-C49 is submitted herewith.

This application is a continuation-in-part of U.S. application No. 09/893,746, filed June 29, 2001, which is a continuation-in-part of U.S. application No. 09/835,243, filed April 13, 2001, which is a continuation-in-part of U.S. application No. 09/606,909, filed June 29, 2000, which is a continuation-in-part of U.S. application no. 09/417,671, filed October 14, 1999. Pursuant to 37 C.F.R. § 1.98(d), copies of the listed references A01-A11, B01-B04 and C02-C04, C06-C08, C10-C19, C21-C29, C31, C34, C37-C41, C43-C45, C47, C50-C58 have not been included herein as such copies are available in parent application No. 09/606,909, filed June 29, 2000. Applicants will provide copies of references A01-A11, B01-B04 and C02-C04, C06-C08, C10-C19, C21-C29, C31, C34, C37-C41, C43-C45, C47, C50-C58 upon request by the Examiner.

Identification of the listed references is not meant to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a "revised form PTO 1449" entitled "List of References Cited" instead of "List of Prior Art Cited".

Applicants respectfully request that the references be made of record in the file history of the application.

No fee is believed due. However, should the Patent and Trademark Office determine otherwise, please charge any required fee to Jones Day Deposit Account No. 50-3013. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

*by Jacqueline Bena*  
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Date: January 18, 2005

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# LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY DOCKET NO.  
11219-023-999  
(500752-999022;  
P4901P4)

APPLICATION NO.  
10/028,989

APPLICANT

Ronald J. Pettis, et al.

FILING DATE

December 28, 2001

GROUP

3763

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	4,886,499	12-1989	Cirelli, et al.			
	A02	5,279,552	01-1994	Magnet			
	A03	5,582,591	12-1996	Cheikh			
	A04	5,800,420	09-1998	Gross, et al.			
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	A09	US 2002/0095134	07-2002	Pettis, et al.			
	A10	6,537,242	03-2003	Palmer, Phyllis J.			
	A11	US 2003/0073609	04-2003	Pinkerton			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B01	WO 94/23777	10-1994	PCT				
	B02	EP 0 429 842	08-1996	EP				
	B03	WO 97/21457	06-1997	PCT				
	B04	WO 00/09186	02-2000	PCT				

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EXAMINER		DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>		